



"The City With a Heart"

Larry Franzella, Mayor
Irene O'Connell, Vice Mayor
Rico E. Medina, Councilmember
Jim Ruane, Councilmember
Ken Ibarra, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

July 22, 2008
7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT The San Bruno City Council met in regular session on July 22, 2008 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the San Bruno Garden Club for the beautiful flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Franzella, Vice Mayor O'Connell and Councilmembers Ruane, Ibarra and Medina in attendance. Recording by Clerk Bonner. **City Clerk Bonner** led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

Mayor Franzella announced the Beautification Task Force Invites Residents to Nominate Properties for 2008 Annual Beautification Awards, Nomination Forms are Available at the City Clerk's Office or on the City's website. The deadline for nominations is Friday, August 22.

4. PRESENTATIONS:

a. Present Proclamation and Receive Presentation from Citizen's Crime Prevention Committee Regarding National Night Out in San Bruno, August 5, 2008.

Jim Prescott, Citizen's Crime Prevention Committee received the proclamation from **Mayor Franzella** and invited citizens to an open house to be held at the Police Station on August 5 from 6:00 to 8:00 p.m. He said lights should be turned on between 8:00 and 10:00 p.m. on the same date as a visual notice the entire community is participating.

b. Receive Presentation on the San Bruno Delegation Visit to Sister City, Narita, Japan, June 28 through July 6, 2008.

Police Chief Telford and **Recreation Services Manager Brewer** reviewed their trip to Narita, Japan through a slide presentation. Teachers **Linda Morihata** and **Johanna Cabrera** expressed appreciation for the trip. Several of the students who traveled to Narita spoke of their experiences.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: Regular Council Meeting of July 8, 2008, approved as submitted.

7. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember, citizen or staff.

a. **Approve:** Payroll of July 11, 2008.

b. **Approve:** Accounts Payable of June 23 and 30, 2008.

c. **Waive:** Second Reading and Adopt Ordinance Adding Chapter 6.52 Governing Tobacco Retailer Permits to the San Bruno Municipal Code.

d. **Adopt:** Resolution Accepting Public Improvements for the Skycrest Subdivision.

M/S Medina/Ibarra to approve the consent calendar and passed with all ayes.

8. PUBLIC HEARING: None.

9. CONDUCT OF BUSINESS:

a. Receive Presentation on San Francisco Airport's San Francisco Garter Snake Recovery Action Plan in the West of Bayshore Area.

Nixon Lam, Senior Environmental Planner, SFO discussed the recovery action plan to maintain and increase the population of the garter snake.

Vice Mayor O'Connell asked how this was all going to work. She asked what determines the three or four cut-outs? **Lam** said the flexibility built into the plan allows them to deal with what site conditions they find out there. He said the area is very thick with willows, trees and vegetation. **Vice Mayor O'Connell** asked if the willows were to be removed. **Lam** said they would be thinned out.

Vice Mayor O'Connell asked about the sediment trap at the beginning of the canal? She said in her research, during the rainy season, this area would fill in quickly and often. **Lam** said part of the plan is to check it, as need be or during the rainy season as often as needed.

Vice Mayor O'Connell said if the willows stay where they are, especially the ones close to the channel opening, and the sediment trap is even partly full, her concern was it would overflow and flood the area again. **Lam** said he believed the cutout areas would help prevent the overflow.

Councilmember Ibarra commented on the ambitiousness of this project. He asked if they could establish a bypass area for the endangered species? **Lam** said they are hoping the trap does function well and reduce the sedimentation load occurring now. He added the endangered species occupy the whole property.

Vice Mayor O'Connell asked for a better understanding of cutting the cattails and piling them. **Lam** said this would provide a refuge for the species to live and hide.

Vice Mayor O'Connell asked about the 7th Ave ditch and with all the clearing and increased amount of water, can the pump station as it exists now, handle the increased capacity load of the channels? **Lam** said the 7th Avenue is smaller cutouts and designed to function similarly to the adjacent PG&E pond. He said the 7th Avenue was a second tier of the plan and will provide some storage capacity which can address some of the issues raised with staff and residents regarding street flooding. **Engineer Davis** said this project would not change the amount of water Angus Pump Station normally receives. He said it would possibly slow down the rate the water makes it to the wet-well, actually benefiting the pump station.

Vice Mayor O'Connell asked about a timeline. **Lam** said they hoped to get their permits in place by the end of August or some time in September.

b. Receive Report Regarding Code Enforcement Activities and Programs.

Community Development Director Aknin gave a broad overview of code enforcement and said about 80% of their active files take place from neighbor's complaints.

Councilmember Ibarra commented on the flexibility and workload of the department and expressed his pleasure. He said there are situations, which are grey such as a homeowner who inherited someone else's problem. He asked if there is a fine for someone doing work without a permit? **Aknin** concurred.

Councilmember Medina said he was concerned about the vacant properties, such as San Bruno Avenue. He said while the properties get cleaned up, it is constantly repetitive. He said there should be some other measures, which could be implemented that will make them comply. He asked it be looked into through the City Attorney and come back to Council to make these individuals more accountable.

Councilmember Ruane echoed Councilmember Medina's thoughts. He said something has to be done to clean up the buildings on San Bruno Avenue other than occupying staff's time to work on the same issues over and over again. He said the calls he has made on code enforcement have worked out well.

Vice Mayor O'Connell asked for clarification on when it is sent to the Planning Commission as a nuisance? **Aknin** said in order to declare a nuisance to start an abatement process, he has to go through the Planning Commission so they can make findings that something is a nuisance, and once that has been declared, then they have the ability to go on the property and abate that nuisance. **City Attorney Thompson** said it goes back to the Fourth Amendment and the City is not allowed to go on people's private property to take action unless there are certain procedural requirements. One of them would be a formal process by which the nuisance has been declared and the owner has the opportunity to contest that finding.

Councilmember Ibarra said signage seems to be getting out of control again. **Aknin** said there are quite a few signs, which have popped up recently.

c. Adopt Resolution Authorizing the City Manager to Execute Agreement with Mayer Hoffman McCann for Financial Audit Services for three Years Beginning as of June 30, 2008.

Assistant Finance Director Juran gave an overview of the staff report and asked for questions.

Councilmember Medina asked what was proposed if the audit was not completed by December 31, 2008? **Juran** said everything would be done to get them done by that time. **Councilmember Medina** asked if everything was done and they still were not complete, do they still get the same amount of money? **Juran** said the contract as it currently stands does not take away any funds if they do not meet their contract.

Councilmember Ruane introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Adopting Amendment to the City of San Bruno 2005 Urban Water Management Plan.

Engineer Davis reviewed the staff report and asked for questions.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

e. Adopt Resolution Approving Installation of a Mid-Block Pedestrian Crosswalk on Cherry Avenue Between San Bruno Avenue and Bayhill Drive.

Engineer Davis reviewed the staff report, showed a slide presentation and asked for questions.

Councilmember Ibarra said his biggest concern on this crosswalk is southbound Cherry; however, he believed there should be a crosswalk.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember Ibarra said roofers are re-roofing houses during the weekend in order to avoid inspections. He asked if anything could be done. His other concern is to stop warning the ice cream vendors and start ticketing them.

Vice Mayor O'Connell asked what was happening at the channel from San Bruno Avenue North. She said her understanding is there are no endangered species. She asked what the County and Cal Trans and property owners are doing.

Councilmember Medina asked about red lights and cameras. Other cities are looking into acquiring them and he would like to see it looked into in San Bruno. **Mayor Franzella** said we are prohibited from installing them on El Camino because it is Cal Trans property. He said maybe the Chief could bring this information back.

13. CLOSED SESSION:

14. ADJOURNMENT: There being no further business to transact, the meeting concluded at 8:26 p.m. The next City Council Meeting will be held on August 8, 2008 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
August 8, 2008

Carol Bonner, City Clerk

Larry Franzella, Mayor